

1 JOSEPH P. RUSSONIELLO (CABN 44332)
2 United States Attorney
3

FILED

2008 APR 29 AM 11:43

4 RICHARD W. WIEKING
5 CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 *[Handwritten mark: A]*
13 UNITED STATES OF AMERICA,) No. 07-00675 - JF
14 Plaintiff,)
15 v.) VIOLATION: 18 U.S.C. §§ 1029(a)(1) &
16 DAVID HINKEL,) (c)(1)(A)(i) - Fraud in Connection with
17 Defendant.) Access Devices
18 _____) SAN JOSE VENUE

19 SUPERSEDING INFORMATION

20 The United States Attorney charges:

21 Beginning in or about April 2004 through in or about May 2005, in the Northern District of
22 California, the defendant,

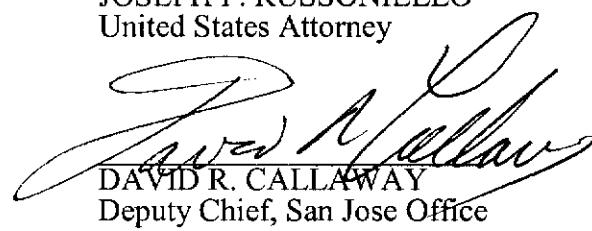
23 DAVID HINKEL,
24 did: (1) knowingly use one or more counterfeit access devices; (2) with the intent to defraud; and
25 (3) such conduct affected interstate commerce.

26 //
27 //
28 //

INFORMATION

1 All in violation of Title 18, United States Code, Sections 1029(a)(1) and (c)(1)(A)(I).
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4 DATED: 4/25/2008

JOSEPH P. RUSSONIELLO
United States Attorney



DAVID R. CALLAWAY
Deputy Chief, San Jose Office

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10 (Approved as to form: Eumi L. Choi
11 AUSA EUMI L. CHOI
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AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Title 18, U.S.C. §§ 1029(a)(1) & (c)(1)(A)(i) -
 Fraud in Connection with Access Devices

- Petty
 Minor
 Misdemeanor
 Felony

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED**APR 29 11:43**

DEFENDANT - U.S. CLERK
DAVID HINKEL RICHARD W. WIEKING
 U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, S.J.

PENALTY:

10 years imprisonment, \$250,000 fine,
 3 years supervised release, \$100 special assessment fee

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

U.S. Postal

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.
 } MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

EUMI CHOI

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST } Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

SUMMONS NO PROCESS*

WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____